



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/610,129

07/05/2000

Galen Rasche

LE9-00-051

4624

21972

7590

07/21/2004

LEXMARK INTERNATIONAL, INC.
INTELLECTUAL PROPERTY LAW DEPARTMENT
740 WEST NEW CIRCLE ROAD
BLDG. 082-1
LEXINGTON, KY 40550-0999

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 07/21/2004

29

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/610,129

Applicant(s)

RASCHE ET AL.

Examiner

King Y. Poon

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9, 11-13, 15-17, 20-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9, 11-13, 15-17, 20-23, 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-17, 20-23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colbert et al. (U.S. Patent # 5,699,494) in view of Yamazoe et al (US 6,628,825).

Regarding claim 15: Colbert et al. teach a method for diagnosing a stand-alone printer, (abstract, column 2, lines 25-35) the method comprising the steps of: a) establishing a communication link (21, fig. 1) between the stand-alone printer and a computer; (11, fig. 1, host A) b) receiving instructions (column 12, lines 55-65) from the computer at the stand-alone printer; and d) diagnosing (obtaining needed information from function, column 11, lines 14-15) one or more functions of the stand-alone printer in accordance with the received instructions, (column 11, lines 1-15, column 3, lines 60-68, column 4, lines 1-5), wherein the stand-alone printer is capable of processing (serializing the rasterized data to drive a print engine, column 9, lines 55-60) and printing digital files, (print jobs, column 9, line 55) acquired by an external device, (the host (B) that is sending the print job, column 1, lines 15-20) independent of an external

Art Unit: 2624

host device (the host (C) that is not the host that is sending the print job, column 1, lines 20-25).

Colbert does not disclosed that the printer is capable of processing and printing digital photographs having a photograph format.

Yamazoe teaches a printer (column 3, lines 65-60), used in a general user's home (column 1, lines 25-30) connected to the user's computer (column 4, line 1), can be used to print photographs (column 1, lines 30) having a photograph format (arrangement) photographs inherently must be in a photographic format; e.g., the data used by the printer must be lay out in a way that allows the printers to print images that are considered to be photograph).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the print system of Colbert to include: using the printer of Colbert to process and print digital photographs having a photograph format.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the print system of Colbert by the teaching of Yamazoe because of the following reasons: (a) it would have allowed users to use the printer to print photograph at home as taught by Yamazoe at column 1, lines 25-30; and (b) it would have allowed the printer have an extra function to be used by the user without increasing the cost for the user.

Note: Colbert, column 1, lines 15-25, teaches that his invention is to be used in a system having a printer interfacing with multiple hosts. Although Colbert, in his

Art Unit: 2624

examples, uses only one host and one printer; it would have been obvious to a person with ordinary skill in the art at the time the invention was to have modified Colbert's to include: the printer interfacing with multiple hosts and each host can communicate with printer using Colbert's invention.

In the rejection, host A is the computer that diagnosing the printer; host B is an external device that the printer is capable of printing a print job, and host C is another host device, connected to the printer, doing nothing.

Regarding claim 16: Colbert et al. teach wherein the instructions comprise content to be presented on a display of the stand-alone printer. (column 3, lines 65-67, column 4, lines 1-5, abstract)

Regarding claim 17: Colbert et al. teach the computer processing user inputs to the stand-alone printer. (Column 13, lines 15-35, column 10, lines 1-40)

Regarding claim 20: Colbert teaches presenting a menu on a display (fig. 1) of the stand-alone printer, wherein the one or more function (column 10, lines 25-35) are diagnosed after a diagnostic mode is chosen from the menu.

Regarding to claim 21: Colbert teaches wherein the computer does not process the digital files (computer A is the diagnostic computer, not the host that send the print job).

Regarding claim 22: Colbert teaches wherein the step of diagnosing one or more functions comprising interacting with a user of the stand-alone printer to determine if the one or more functions perform correctly. (Test menu would allow a user to determine one or more functions perform correctly from the test page. For example, if the test

page created has not images on it, the printer is running out of ink; a printer would inherently print no images when the printer has no ink)

Regarding claim 23: Colbert teaches wherein the step of interacting with a user further comprise displaying on a display of the stand-alone printer a suggestion for fixing a problem diagnosed with respect to the one or more functions. (A low toner warning is a suggestion to replace the toner, column 13, lines 30-35)

Regarding claim 25: Colbert teaches the computer is capable of writing to a display of the stand-alone printer, (column 4, lines 55-65) reading an input from a selection mechanism of the stand-alone printer; (column 4, lines 55-65, fig. 1, column 4, lines 15-25); reading memory (column 12, lines 1-20) associated with the stand-alone printer; and sending data to a print controller (column 7, lines 34-40) of the stand-alone printer.

3. Claims 1-6, 9, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi (US 4,759,053) in view of Batten et al (US 6,417,937), and well known prior art.

Regarding claim 1: Satomi teaches a printer configuration, (fig. 1) comprising: a) a computer readable medium (memory 6, fig. 1, column 2, line 45) comprising data; b) a computer (host computer 4, fig. 1, column 1, line 68, column 2, line 1) having access to the data on the computer readable medium (column 3, lines 1-10); c) a communication link (modem 18, fig. 1) connected to the computer; d) a printer (terminal equipment, column 1, lines 65-69, 1, fig. 1, terminal equipment is a printer because it can print,

Art Unit: 2624

column 3, lines 10-15) connected to the communication link (fig. 1) and in communication with the computer, (column 2, lines 64-69, column 3, line 1-10) the printer having a selection mechanism (keys 8, column 2, lines 65) and having access to the data over the communication link in response to a user's input (column 2, lines 64-69, column 3, lines 1-15) to the selection mechanism on the printer, wherein the printer comprises a printing device (control unit, column 3, line 5, and recording unit, column 3, line) capable of processing and printing digital photographs, (column 3, lines 1-15) independent of an external host device.

Satomi also teaches that the terminal equipment comprises a facsimile equipment component for: reading a picture, (column 2, lines 10-16), transmitting the read picture to a computer, (column 2, lines 49-55), and receiving the transmitted read picture from the computer for printing (column 2, lines 64-69, column 3, lines 1-15)

Satomi does not teach the printer is a photo printer. (Print image of a photograph)

Batten, in the same art of receiving and printing images from a printer, teaches a facsimile equipment/machine inherently print image of a photograph (column 1, lines 14-30) by using the reader/scanner of the facsimile equipment/machine to transform an optical image of a photograph into electrical signal suitable for storing, displaying, processing by a computer, transmitting and printing.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component

Art Unit: 2624

of Satomi to include: reading a photograph, transmitting the read photograph to the computer, and receiving the transmitted read photograph from the computer for printing.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi by the teaching of Batten because of the following reasons: (a) using the printer to print photograph image would have provided an extra benefit for users using the printer without adding cost to users and thereby, increased the desire of users to purchase the printer; and (b) it would have simplified the printing needs of users by providing users with a printer that would print a document as well as photograph instead of using a printer to print the document and another printer to print the photograph.

Satomi as modified by Batten still does not teach the use of a digital camera to capture the digital photographs. However, it is well known in the art to use a digital camera to capture digital photographs. Page 1, specification of the applicant also admits that images are now captured by digital camera to be processed by a computer and be printed by a printer.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer to include: using a digital camera to capture the digital photographs.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer by the teaching of well-known prior art because of the following reasons (a) a digital camera is easy to carry; (b) it would have allowed users to capture images at the moment the user would

Art Unit: 2624

like to capture the image; and (c) it would have created a digital image to be used by a computer.

Regarding claim 2: Satomi teaches a user interface (keyboard with a display, column 4, lines 19-21) on the photoprinter having a plurality of options selectable by a user with the selection mechanism. (Column 3, lines 35-40)

Regarding claim 3: Satomi teaches wherein the options include downloading files from the computer, (accessing and transmitting desired data from computer, column 3, lines 35-40), uploading files to the computer, (column 3, lines 50-69), or printing files (column 3, line 1-15)

Regarding claim 4: Satomi teaches wherein the one or more files (desired data, column 3, lines 35-40) are presented on the user interface. (Column 4, lines 19-23, desired data are data communicates from the computer to the facsimile equipment. Therefore, desired data are contents of communications)

Regarding claim 5: Satomi teaches wherein the data comprises digital (binary signals, column 2, lines 13-14) photographs. (See discussion of claim 1)

Regarding claim 6: Satomi teaches wherein the data comprises executable code (column 2, lines 15-25) for running on the photoprinter.

Regarding claim 9: Satomi teaches wherein the computer is a server. (The computer (host, column 2, lines 64-69) is responding to a command from the client (terminal equipment, column 2, lines 64-69)

Regarding claim 11: Satomi teaches a printer configuration, (fig. 1) comprising: a) a computer (host computer 4, fig. 1, column 1, line 68, column 2, line 1) having a

Art Unit: 2624

plurality of digital (binary signals, column 2, line 13, column 2, lines 50-55) pictures on a computer readable medium (memory 6, fig. 6, column 2, line 45); b) a communication link (modem 18, fig. 1) connected to the computer; and c) a printer (terminal equipment, column 1, lines 65-69, 1 of fig. 1) connected to the computer via the communication link, the printer having means (keys 8, column 2, line 65) for accessing (column 2, lines 64-69, column 3, lines 1-15) the digital picture, wherein the printer comprises a printing device (control unit, column 3, line 5, and recording unit, column 3, line) capable of processing and printing digital photographs, (column 3, lines 1-15) independent of an external host device.

Satomi also teaches that the terminal equipment comprises a facsimile equipment component for: reading a picture, (column 2, lines 10-16), transmitting the read picture to a computer, (column 2, lines 49-55), and receiving the transmitted read picture from the computer for printing (column 2, lines 64-69, column 3, lines 1-15).

Satomi does not teach the printer is a photocopier, (Print image of a photograph) and the pictures are photographs.

Batten, in the same art of receiving and printing images from a printer, teaches a facsimile equipment/machine inherently print image of a photograph (column 1, lines 14-30) by using the reader/scanner of the facsimile equipment/machine to transform an optical image of a photograph into electrical signal suitable for storing, displaying, processing by a computer, transmitting and printing.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component

Art Unit: 2624

of Satomi to include: reading a photograph, transmitting the read digital photograph to the computer, and receiving the transmitted read digital photograph from the computer for printing.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi by the teaching of Batten because of the following reasons: (a) using the printer to print photograph image would have provided an extra benefit for users using the printer without adding cost to users and thereby, increased the desire of users to purchase the printer; and (b) it would have simplified the printing needs of users by providing users with a printer that would print a document as well as photograph instead of using a printer to print the document and another printer to print the photograph.

Satomi as modified by Batten still does not teach the use of a digital camera to capture the digital photographs.

However, it is well known in the art to use a digital camera to capture digital photographs. Page 1, specification of the applicant also admits that images are now captured by digital camera to be processed by a computer and be printed by a printer.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer to include: using a digital camera to capture the digital photographs.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer by the teaching of well-known prior art because of the following reasons (a) a digital camera is easy to

Art Unit: 2624

carry; (b) it would have allowed users to capture images at the moment the user would like to capture the image; and (c) it would have created a digital image to be used by a computer.

Regarding claim 12: Satomi teaches a method for accessing digital pictures, (column 2, lines 64-69, column 3, lines 1-15) the method comprising the steps of: a) establishing a communication link (column 3, lines 54-65) between a photoprinter and the computer; b) receiving a request (column 3, lines 35-40) at the printer from a user (the person who is entering command using keys, column 3, lines 35-40); and c) accessing the digital pictures (column 2, lines 64-69, column 3, lines 1-15) by the printer in response to the request, wherein the printer comprises a printing device (control unit, column 3, line 5, and recording unit, column 3, line) capable of processing and printing digital photographs, (column 3, lines 1-15) independent of an external host device.

Satomi also teaches that the terminal equipment comprises a facsimile equipment component for: reading a picture, (column 2, lines 10-16), transmitting the read picture to a computer, (column 2, lines 49-55), and receiving the transmitted read picture from the computer for printing (column 2, lines 64-69, column 3, lines 1-15)

Satomi does not teach the printer is a photoprinter, (Print image of a photograph) and the pictures are photographs.

Batten, in the same art of receiving and printing images from a printer, teaches a facsimile equipment/machine inherently print image of a photograph (column 1, lines 14-30) by using the reader/scanner of the facsimile equipment/machine to transform an

optical image of a photograph into electrical signal suitable for storing, displaying, processing by a computer, transmitting and printing.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi to include: reading a photograph, transmitting the read digital photograph to the computer, and receiving the transmitted read digital photograph from the computer for printing.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi by the teaching of Batten because of the following reasons: (a) using the printer to print photograph image would have provided an extra benefit for users using the printer without adding cost to users and thereby, increased the desire of users to purchase the printer; and (b) it would have simplified the printing needs of users by providing users with a printer that would print a document as well as photograph instead of using a printer to print the document and another printer to print the photograph.

Satomi as modified by Batten still does not teach the use of a digital camera to capture the digital photographs.

However, it is well known in the art to use a digital camera to capture digital photographs. Page 1, specification of the applicant also admits that images are now captured by digital camera to be processed by a computer and be printed by a printer.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer to include: using a digital camera to capture the digital photographs.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer by the teaching of well-known prior art because of the following reasons (a) a digital camera is easy to carry; (b) it would have allowed users to capture images at the moment the user would like to capture the image; and (c) it would have created a digital image to be used by a computer.

Regarding claim 13: Satomi teaches wherein the step of accessing comprises downloading the digital photographs (accessing and transmitting desired data from computer, column 3, lines 35-40).

4. Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi (US 4,759,053) in view of Batten et al (US 6,417,937), and well known prior art as applied to claim 1 above, and further in view of Foth (US 6,473,498).

Regarding claim 7: Satomi does not teach wherein the computer is connected locally to the photoprinter.

Foth, in the same area of connecting a facsimile machine to a computer, teaches wherein a computer is connected locally to a facsimile machine by using an RS232 cable. (Column 1, lines 50-65)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi/Batten photoprinter to include: the computer is connected locally to the facsimile machine of the photoprinter.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi/Batten photoprinter by the teaching of Foth because of the following reasons: (a) it would have reduced the cost of using multiple phone lines for connecting the computers and printers in a small business environment as taught by Foth at column 1, lines 30-40; and (b) it would have reduced to use of phone lines as taught by Foth at column 1, lines 35-40.

Response to Arguments

5. Applicant's arguments filed 5/17/2004 have been fully considered but they are not persuasive.

With respect to applicant's argument that Colbert does not teach a stand-alone printer-a printer capable of processing and printing digital photographs having a photograph format, acquired by an external device, independent of an external device, has been considered.

In rely: Colbert et al. teach a method for diagnosing a stand-alone printer, (abstract, column 2, lines 25-35) the method comprising the steps of: a) establishing a communication link (21, fig. 1) between the stand-alone printer and a computer; (11, fig. 1, host A) b) receiving instructions (column 12, lines 55-65) from the computer at the

Art Unit: 2624

stand-alone printer; wherein the stand-alone printer is capable of processing (serializing the rasterized data to drive a print engine, column 9, lines 55-60) and printing digital files, (print jobs, column 9, line 55) acquired by an external device, (the host (B) that is sending the print job, column 1, lines 15-20) independent of an external host device (the host (C) that is not the host that is sending the print job, column 1, lines 20-25).

Colbert does not disclosed that the printer is capable of processing and printing digital photographs having a photograph format.

Yamazoe teaches a printer (column 3, lines 65-60), used in a general user's home (column 1, lines 25-30) connected to the user's computer (column 4, line 1), can be used to print photographs (column 1, lines 30) having a photograph format (arrangement) photographs inherently must be in a photographic format; e.g., the data used by the printer must be lay out in a way that allows the printers to print images that are considered to be photograph).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the print system of Colbert to include: using the printer of Colbert to process and print digital photographs having a photograph format.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the print system of Colbert by the teaching of Yamazoe because of the following reasons: (a) it would have allowed users to use the printer to print photograph at home as taught by Yamazoe at column 1, lines 25-30; and

(b) it would have allowed the printer have an extra function to be used by the user without increasing the cost for the user.

Note: Colbert, column 1, lines 15-25, teaches that his invention is to be used in a system having a printer interfacing with multiple hosts. Although Colbert, in his examples, uses only one host and one printer; it would have been obvious to a person with ordinary skill in the art at the time the invention was to have modified Colbert's to include: the printer interfacing with multiple hosts and each host can communicate with printer using Colbert's invention.

In the rejection, host A is the computer that diagnosing the printer; host B is an external device that the printer is capable of printing a print job, and host C is another host device, connected to the printer, doing nothing.

With respect to applicant's argument that photographic format is ".tiff, .jpg" has been considered.

In reply: Page 6, lines 1-2, defines photographic format could be ".tiff, .jpg" or a raster. The examiner views the photographic format as a raster, which is the raster after being rasterized, column 9, lines 55-60, Colbert.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re*

Art Unit: 2624

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to do so is found either in the references themselves. Column 1, lines 25-30, Yamazoe, clearly teaches that the printer in a user's home inherently is a photo-printer. A printer in most user's home is connected to a computer and print images from the computer. Therefore, the printer disclosed by Colbert is the same kind of printer, suggest by Yamazoe, to print photograph. Using the printer at home to print photograph from a camera or a computer clearly is desirable for the user.

With respect to applicant's argument that Colbert, does not teaches the display instructions are received from the computer, has been considered.

In reply: Colbert, column 4, lines 55-65, teaches any instructions, received from a pushbutton of column 10, line 30, from a printer, would also received from the computer. Since the display is responding to the pushbutton, and the push button sends a signal to the printer to control the display; the display instructions are received from the computer-when the push button is activated from the computer.

With respect to applicant's argument that the flag byte, column 13, lines 15-35, that input from stand-alone printer to the computer such that computer would process (examine) the flag byte, has nothing to do with user input, has been considered.

In reply: Column, 10, lines 25-35, column 6, lines 35-40, teaches a user uses a pushbutton to input information from the printer to the host and the computer would examine (process) the input information such that the computer would known what to be displayed.

With respect to applicant's argument that Satomi and Batten et al does not teach a photoprinter capable processing and printing digital photographs, acquire by a digital camera, independent of an external host device, has been considered.

In reply: Satomi teaches a printer configuration, (fig. 1) comprising: a printer (terminal equipment, column 1, lines 65-69, 1, fig. 1, terminal equipment is a printer because it can print, column 3, lines 10-15) connected to the communication link (fig. 1) and in communication with a computer, (column 2, lines 64-69, column 3, line 1-10) the printer having a selection mechanism (keys 8, column 2, lines 65) and having access to the data over the communication link in response to a user's input (column 2, lines 64-69, column 3, lines 1-15) to the selection mechanism on the printer, wherein the printer comprises a printing device (control unit, column 3, line 5, and recording unit, column 3, line) capable of processing and printing digital photographs, (column 3, lines 1-15) independent of an external host device.

Satomi also teaches a terminal equipment comprises a facsimile equipment component for: reading a picture, (column 2, lines 10-16), transmitting the read picture to a computer, (column 2, lines 49-55), and receiving the transmitted read picture from the computer for printing (column 2, lines 64-69, column 3, lines 1-15)

Satomi does not teach the printer is a photoprinter, (Print image of a photograph) and the pictures are photographs.

Batten, in the same art of receiving and printing images from a printer, teaches a facsimile equipment/machine inherently print image of a photograph (column 1, lines 14-30) by using the reader/scanner of the facsimile equipment/machine to transform an

optical image of a photograph into electrical signal suitable for storing, displaying, processing by a computer, transmitting and printing.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi to include: reading a photograph, transmitting the read photograph to the computer, and receiving the transmitted read photograph from the computer for printing.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the facsimile equipment component of Satomi by the teaching of Batten because of the following reasons: (a) using the printer to print photograph image would have provided an extra benefit for users using the printer without adding cost to users and thereby, increased the desire of users to purchase the printer; and (b) it would have simplified the printing needs of users by providing users with a printer that would print a document as well as photograph instead of using a printer to print the document and another printer to print the photograph.

Satomi as modified by Batten still does not teach the use of a digital camera to capture the digital photographs. However, it is well known in the art to use a digital camera to capture digital photographs. Page 1, specification of the applicant also admits that images are now captured by digital camera to be processed by a computer and be printed by a printer.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer to include: using a digital camera to capture the digital photographs.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Satomi and Batten's printer by the teaching of well-known prior art because of the following reasons (a) a digital camera is easy to carry; (b) it would have allowed users to capture images at the moment the user would like to capture the image; and (c) it would have created a digital image to be used by a computer.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892

July 19, 2004

King Y. Poon